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PTO/SB/21 (09-04 Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/033.076 TRANSMITTAL Filing Date December 28, 2001 First Named Inventor **FORM** Richard E. Smalley et. al. Art Unit **Examiner Name** Stuart L. Hendrickson (to be used for all correspondence after initial filing) Attorney Docket Number 11321-P012USD8X1 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC ✓ Amendment/Reply Petition (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Change of Correspondence Address Status Letter Affidavits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): (1) Return Postcard. Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Winstead S St & Minick P Signature Printed name Ross Spencer Garsson Date Reg. No. September 20, 2005 38,150 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date September 20, 2005 Beatrice Zepeda Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PAGENTA AND TRADEMARK OFFICE

In re Application of: Richard E. Smalley et al.

Group Art Unit:

1754

Serial No.:

10/033,076

Filed:

December 28, 2001

Title: CONTINUOUS FIBER OF SINGLE-WALL CARBON NANOTUBES

Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, September 20, 2005.

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RESPONSE TO NOTICE OF INCONSISTENCY WITH SPECIFICATION

Dear Sir:

This is in response to the Notice of Drawing Inconsistency With Specification ("Notice") having a mailing date of September 12, 2005, with a one-month shortened statutory period for response set to expire on October 12, 2005.

In the Notice, the Examiner has informed counsel for Applicant that the specification failed to properly reference FIGS. 18C and 18D, which appear on Sheet 20/21 of the Application. As this response is being submitted within one month of September 12, 2005, Applicant's response is timely.

Please amend the above-identified Application as follows:

Amendments to the Specification begin on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.